

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

PAMELA STELLA, individually and
on behalf of all others similarly situated,

Plaintiff,

V.

LVMH PERFUMES AND COSMETICS
USA, INC., a New York Corporation,

Defendant.

No. 07-CV-6509

Hon. Elaine E. Bucklo

Magistrate Judge Arlander Keys

**DEFENDANT LVMH PERFUMES AND COSMETICS, INC.'S
UNOPPOSED MOTION TO EXTEND TIME TO ANSWER THE COMPLAINT**

Defendant LVMH Perfumes and Cosmetics, Inc. (“LVMH”) respectfully moves the Court for an order extending by seven (7) days the time for LVMH to file its answer to the complaint in this action. In support of this motion, LVMH states:

1. The seven-count putative class complaint in this action was filed on November 16, 2007 and served on or about November 27, 2007.

2. On March 14, 2008, LVMH moved to dismiss the complaint on numerous grounds. The briefing on LVMH's motion to dismiss was completed on June 3, 2008.

3. On July 8, 2008, this Court entered a memorandum opinion and order dismissing plaintiff's injunctive relief count, but otherwise denying LVMH's motion to dismiss the complaint.

4. Pursuant to Fed. R. Civ. P. 12(a)(4) and Fed. R. Civ. P. 6(a)(2), LVMH's answer to the remaining counts of the complaint is due on July 22, 2008.

5. At the time of the Court's decision, lead counsel for LVMH was on trial in a major arbitration, which continued through July 11. Since the conclusion of that trial, LVMH's

counsel have been working diligently on LVMH's answer. Because of pre-existing obligations and the need to coordinate with their out-of-town client, LVMH's counsel seek a short extension of time to prepare LVMH's answer. Accordingly, LVMH requests a one-week extension of time, until July 29, 2008, to file its answer to the complaint.

6. The requested extension is not sought for any improper purpose, and it will not unreasonably delay this action or prejudice any of the parties. In this respect, LVMH notes that it still has not been served with the complaint in the related case, *Quinn v. LVMH Perfumes and Cosmetics USA, Inc.*, No. 08-CV-138 (N.D. Ill.), which is now pending before this Court.

7. LVMH's counsel has conferred with plaintiff's counsel about the requested extension of time, and plaintiff's counsel does not object.

WHEREFORE, defendant LVMH Perfumes and Cosmetics, Inc. respectfully requests that the Court grant this unopposed motion and enter an order extending the time for LVMH to file its answer to the complaint through and including July 29, 2008.

Date: July 22, 2008

Respectfully submitted,

LVMH PERFUMES AND COSMETICS, INC.

By: s/ Rachael M. Trummel
One of Its Attorneys

Robert E. Shapiro (Bar No. 03125180)
Rachael M. Trummel (Bar No. 6274278)
BARACK FERRAZZANO
KIRSCHBAUM & NAGELBERG LLP
200 West Madison Street, Suite 3900
Chicago, Illinois 60606
Ph: 312.984.3100
Fax: 312.984.3150
Email: rob.shapiro@bfkn.com
Email: rachael.trummel@bfkn.com

CERTIFICATE OF SERVICE

I, Rachael M. Trummel, an attorney, hereby certify that I caused a true and correct copy of the foregoing **DEFENDANT LVMH PERFUMES AND COSMETICS, INC.'S UNOPPOSED MOTION TO EXTEND TIME TO ANSWER THE COMPLAINT** to be served upon the following by ECF/PACER electronic notice and by U.S. Mail as indicated on this 22nd of July 2008:

By ECF/PACER Electronic Notice

Ben Barnow
Sharon Harris
Erich Paul Schork
BARNOW & ASSOCIATES, P.C.
One North LaSalle Street, Suite 4600
Chicago, Illinois 60602
Ph: 312.621.2000
Email: b.barnow@barnowlaw.com
Email: s.harris@barnowlaw.com
Email: e.schork@barnowlaw.com
ATTORNEYS TO BE NOTICED

Aron David Robinson
LAW OFFICE OF ARON D. ROBINSON
19 South LaSalle Street, Suite 1300
Chicago, Illinois 60603
Ph: 312.857.9050
Email: adroblaw@aol.com
ATTORNEY TO BE NOTICED

By U.S. Mail, Proper Postage Prepaid

Kevin Rogers
LAW OFFICES OF KEVIN ROGERS
307 North Michigan Avenue, Suite 305
Chicago, Illinois 60602
Ph: 312.621.2000
COURTESY COPY

Lance A. Harke, P.A.
Sarah Clasby Engel, P.A.
HARKE & CLASBY LLP
155 South Miami Avenue, Suite 600
Miami, Florida 33130
Ph: 305.536.8220
COURTESY COPY

s/Rachael M. Trummel